

FILED  
DEC 30 2019  
CLERK, U.S. DISTRICT COURT  
RICHMOND, VA

**Defendant.**

Civil Action No. 3:19CV738-HEH


By Memorandum Order entered on October 17, 2019, the Court directed Plaintiff to complete and return a 42 U.S.C. § 1983 complaint form. Plaintiff returned the form but did not complete it in a manner that the Court could file. Accordingly, by Memorandum Order entered on November 8, 2019, the Court again directed Plaintiff to complete and return a 42 U.S.C. § 1983 complaint form. The Court warned Plaintiff that a failure to comply with the above directive within fourteen (14) days of the date of entry thereof would result in summary dismissal of the action. On November 26, 2019, the Court received a letter from Plaintiff asking for an extension of time in which to complete and return the § 1983 complaint form to the Court. The Court granted Plaintiff's request and provided Plaintiff with an additional fourteen (14) days to complete and return a §1983 form to the Court.

Plaintiff has not complied with the order of this Court. Although the Court received a letter from Plaintiff complaining about his ongoing detention (ECF No. 7), Plaintiff failed to return a completed § 1983 form although he was clearly aware that he

was required to submit such a form to continue with this action. Such conduct demonstrates a willful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

An appropriate Order shall accompany this Memorandum Opinion.

Date: Dec. 30, 2019  
Richmond, Virginia

  
\_\_\_\_\_/s/  
HENRY E. HUDSON  
UNITED STATES DISTRICT JUDGE